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APPENDIX V.

[Vide item III (4) at page 129 supra.]

# L.A. BILL No. 21 OF 1939.

## (As passed by the Assembly)

*A Bill further to amend the Madras City Municipal Act,* 1919, *the Madras District Municipalities Act,* 1920, *and the Madras Local Boards Act,* 1920, *for certain purposes.*

WHEREAS it is expedient further to amend the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows :— Madras Act IV of 1919. Madras Act V of 1920. Madras Act XIV of 1920.

Short title. **1.** This Act may be called the Madras City Municipal, District Municipalities and Local Boards (Amendment) Act, 1939.

Amendment of sections 59 and 101, Madras Act IV of 1919. **2.** In the Madras City Municipal Act, 1919— Madras Act IV of 1919.

(i) in section 59, the second proviso to clause (*c*) of sub-section (2) shall be omitted; and

(ii) to section 101, the following proviso shall be added at the end, namely :—

"Provided that nothing contained in clauses (*a*), (*c*) and (*e*) shall be deemed to exempt from property tax any building or land for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses."

Amendment of sections 43, 83 and 303, Madras Act V of 1920. **3.** In the Madras District Municipalities Act, 1920— Madras Act V of 1920.

(i) in sub-section (2) of section 43, for the last sentence, the following sentence shall be substituted, namely :—

"Each of the other wards shall return such number of members (whether one or more) as may be notified by the Provincial Government." ;

(ii) in sub-section (1) of section 83—

(1) clauses (*c*), (*d*) and (*e*) shall be relettered (*g*), (*h*) and (*i*) respectively, and for clauses (*a*) and (*b*), the following clauses shall be substituted, namely :—

"(*a*) places set apart for public worship and either actually so used or used for no other purpose ;

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(b) choultries for the occupation of which no rent is charged and choultries the rent charged for the occupation of which is used exclusively for charitable purposes;

(c) buildings used for educational purposes including hostels, public buildings and places used for the charitable purpose of sheltering the destitute or animals, and libraries and playgrounds which are open to the public;

VII of 1904. (d) such ancient monuments protected under the Ancient Monuments Preservation Act, 1904, or parts thereof as are not used as residential quarters, or as public offices;

(e) charitable hospitals and dispensaries;

(f) such hospitals and dispensaries maintained by railway administrations as may from time to time be notified by the Provincial Government;"; and

(2) after clause (i) as so relettered, the following proviso shall be inserted, namely:—

"Provided that nothing contained in clauses (a), (c) and (e) shall be deemed to exempt from property tax any building or land for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses."; and

(iii) in sub-section (2) of section 303, the second proviso to clause (b) and the word "and" at the end of the first proviso shall be omitted.

Madras Act XIV of 1920. Amendment of sections 22-A, 47, 49, 99 and 199, Madras Act XIV of 1920.

4. In the Madras Local Boards Act, 1920—

(i) for clause (b) of sub-section (2) of section 22-A, the following clause shall be substituted, namely:—

"(b) When the office of president of a panchayat is vacant and there is either a vacancy in the office of vice-president or the vice-president has been continuously absent from

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jurisdiction for more than fifteen days or is incapacitated, the prescribed authority shall appoint a person to convene a meeting for the election of a president. The person so appointed shall convene a meeting for such election, and notwithstanding anything contained in this Act or in the rules or notifications issued thereunder, shall preside at the meeting so convened and have all the powers of the president of the panchayat in relation thereto, except that he shall not have the right to vote at the election. Where any person has been appointed as aforesaid, no other person shall be entitled to convene or conduct a meeting for the election of a president.

Until a new president or vice-president is elected and assumes office, or the vice-president returns to jurisdiction or recovers from his incapacity, as the case may be, a member of the panchayat appointed by the president of the district board shall, subject to the provisions of the preceding paragraph and to such further restrictions, limitations and conditions, if any, as the Provincial Government may by general or special order lay down, exercise the functions of the president of the panchayat." ;

(ii) in sub-section (2) of section 47, for the last sentence, the following sentence shall be substituted, namely :—

" Each of the other circles shall return such number of members (whether one or more) as may be notified by the Provincial Government." ;

(iii) in sub-section (2) of section 49, for the last sentence, the following sentence shall be substituted, namely :—

" Each of the other wards shall return such number of members (whether one or more) as may be notified in the manner aforesaid by the Provincial Government " ;

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(iv) in section 99—

(1) clauses (*c*) and (*d*) shall be relettered (*g*) and (*h*) respectively, and for clauses (*a*) and (*b*), the following clauses shall be substituted, namely :—

" (*a*) buildings set apart for public worship and either actually so used or used for no other purpose ;

(*b*) choultries for the occupation of which no rent is charged and choultries the rent charged for the occupation of which is used exclusively for charitable purposes ;

(*c*) buildings used for educational purposes including hostels and for libraries which are open to the public, and public buildings used for the charitable purpose of sheltering the destitute or animals ;

VII of 1904. (*d*) such ancient monuments protected under the Ancient Monuments Preservation Act, 1904, or parts thereof as are not used as residential quarters or as public offices ;

(*e*) charitable hospitals and dispensaries and other buildings exclusively used for charitable purposes ;

(*f*) such hospitals and dispensaries maintained by railway administrations as may from time to time be notified by the Provincial Government ; " ; and

(2) after clause (*h*) as so relettered, the following proviso shall be inserted, namely :—

" Provided that nothing contained in clauses (*a*), (*c*) and (*e*) shall be deemed to exempt from house-tax any building for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses." ; and

(v) in section 199, the second proviso to clause (*b*) of sub-section (2) shall be omitted.